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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
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EXAMINER


LANEAU, RONALD

ART UNIT PAPER NUMBER

3627

DATE MAILED: 07/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/785,969	Applicant(s) MEYER ET AL.	
	Examiner Ronald Laneau	Art Unit 3627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

1. The amendment filed on 1/30/04 has been entered. New claims 25-36 are added and claims 1-36 are now pending.

Response to Arguments

2. Applicant's arguments filed on 1/30/04 have been fully considered but they are not persuasive.

Applicant's arguments are directed to the newly added limitations as recited "printing a sales receipt for the transaction that includes a thumbnail of the at least one digital image to confirm storage of the at least one digital image ..." and that none of the references cited teaches the above limitation. Contrary to applicant's arguments, the newly added limitations are met by the newly added reference in Altman (US (2001/0036324)). Therefore, the arguments are moot and claims stand finally rejected.

Claim Rejections - 35 USC § 103

3. Claims 1-3, 8-10, 13-16, 18, 24, and 33-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over www.photonet.com (archived March 2, 2000) in view of Altman (US 2001/0036324).

Photonet.com teaches a method or receiving a least one digital image from memory of an imaging device (Site Map, Manage, pg. 1 - uploading photos from your digital cameral or PC), performing a point-of sale transaction for storing a least one digital image at a remote site (How It Works, pg. 1 - digital cameral owners can also upload pictures order high quality photos -just

create a free account and purchase a "roll" of spaces on the site, then upload your photos; Help, pg. 6, 8 - I already have digital pictures from my digital camera . . .purchase a "roll" of storage space on the site or add a few empty space to a roll currently in your account, if you would like to extend the time you can do by buying more time before the roll expires; Site Map, Manager, pg. 1 Buy New Roll and Add Spaces - so you can upload a whole roll or just a few digital pictures you already have). Uploading is done via the Internet as this is an Internet site and can be done from your PC or digital camera and includes image storage web site on the Internet and inherently contains a server (Site Map, Manage, pg. 1 - upload your photos from your digital camera or PC and How it Works - Kodak PhotoNet online web site). In order for the image to be received from a digital camera it would have to be stored in some form of memory in the digital camera, whether internal or removable. PhotoNet.com further teaches that the digital image that was captured and stored can be accessed (Site Map, pg. 1 - View and Share, Shop, Play, and Manage). Photonet.com does not teach printing the sales receipt including a thumbnail of the digital image to confirm storage but Altman teaches a printer 86 that can transmit receipts of electronic documents as thumbnail views or bow-up views to confirm storage as claimed (page 6, [0088], lines 1-6, figs 2 and 3).

It would have been obvious to one of ordinary skill in the art to utilize the printing of a sales receipt including a thumbnail vie to confirm storage of the digital image or documents as taught by Altman into the teachings of Photonet.com because it would maximize the efficiency of storing and indexing electronic documents.

As per claims 15 and 16, the following means are equivalent to the descriptions set forth in the reference.

Means for receiving digital images from imaging device memory (Site Map, Manage pg. 1 - upload photos from your digital camera or PC to available spaces)

Means for performing point-of-sale transactions for storing at least some of the images at a remote site (equivalent to second part of claim 1; How it Works, pg. 1 - digital camera owners can also upload pictures order high quality photos -just create a free account and purchase a "roll" of spaces on the site, then upload your photos; Help, pg. 6, 8 - I already have digital pictures from my digital camera . . .purchase a "roll" of storage space on the site or add a few empty space to a roll currently in your account, if you would like to extend the time you can do by buying more time before the roll expires; Site Map, Manager, pg. 1 Buy New Roll and Add Spaces - so you can upload a whole roll or just a few digital pictures you already have; as it is not stored in your camera or PC it is remote).

Means for electronically transmitting paid-for images to the remote web site (equivalent to claim 3; Site Map, Manage, pg. 1 - upload your photos from your digital camera or PC, it is electronic as it is sent over the Internet).

Photonet.com teaches an article for a machine having a processor (CPU for the server/web site) and an interface (the software on the website that enables a program to work with the user (the user interface, which can be, a command-line interface, menu-driven, or a graphical user interface), with another program such as the operating system or the computer's hardware), the article comprising:

Computer memory (server; and

A program encoded in the computer memory, the program, when executed, instructing the processor to receive digital images via the interface, determine a price for storing the digital

images at a remote site, process payment information, and send paid-for digital images to the remote site (how the web site operates as set forth in the method, it could not operate without a computer program encoded into the computer memory). Thus, the article for manufacture is rejected for the reasons set forth in the method claims and the explanation set forth above.

Photonet.com does not teach printing the sales receipt including a thumbnail of the digital image to confirm storage but Altman teaches a printer 86 that can transmit receipts of electronic documents as thumbnail views or bow-up views to confirm storage as claimed (page 6, [0088], lines 1-6, figs 2 and 3).

It would have been obvious to one of ordinary skill in the art to utilize the printing of a sales receipt including a thumbnail view to confirm storage of the digital image or documents as taught by Altman into the teachings of Photonet.com because it would maximize the efficiency of storing and indexing electronic documents.

4. Claims 1-3, 8-10, 13-16, 18, 24, and 33-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shiota, et al. (2002/0032905) in view of Altman (US 2001/0036324).

Shiota teaches a method of receiving a least one digital image from memory of an imaging device (Abstract, (0012q including a digital camera where the image data is received by reading by reading memory that has been removed from the camera), performing a point-of sale transaction for storing a least one digital image at a remote site ((00411-(0050) the uploading is done to a remote site the image server). Uploading can be done via the Internet and the remote storage site would include an image storage web site (See Fig. 1 ; (0017J; (0023J; (00402-(0041) - would require an image storage web site as the request to the image server is directly connected

through a personal computer/PDA via a communication channel). The transaction is carried out at a kiosk (Fig. 2). Shiota further teaches that removing memory accesses the digital image from the imaging device and inserting the memory into a memory reader (Fig. 29 (0012)).

Shiota does not teach printing the sales receipt including a thumbnail of the digital image to confirm storage but Altman teaches a printer 86 that can transmit receipts of electronic documents as thumbnail views or bow-up views to confirm storage as claimed (page 6, [0088], lines 1-6, figs 2 and 3).

It would have been obvious to one of ordinary skill in the art to utilize the printing of a sales receipt including a thumbnail view to confirm storage of the digital image or documents as taught by Altman into the teachings of Shiota because it would maximize the efficiency of storing and indexing electronic documents.

As per claims 15 and 16, the following means are equivalent to the descriptions set forth in the reference.

Means for receiving digital images from imaging device memory (equivalent to first part of claim 1., Abstract, (0012) including a digital camera where the image data is received by reading by reading memory that has been removed from the camera)

Means for performing point-of-sale transactions for storing at least some of the images at a remote site (equivalent to second part of claim 1; (g0041)-g0050) the uploading is done to a remote site the image server as it is not stored in your camera or PC it is remote).

Means for electronically transmitting paid-for images to the remote web site (equivalent to claim 3., ((0041j)-(0050) the uploading is done to a remote site the image server; See Fig. 1;

(0017); (0023); transfer includes docking station, modem, transceiver, cable telephone line - all electronic forms).

Shiota, et al. teaches an article for a machine having a processor (CPU for the server) and an interface (the software on the website that enables a program to work with the user/input device (the user interface, which can be, a command-line interface, menu-driven, or a graphical user interface), with another program such as the operating system or the computer's hardware), the article comprising:

Computer memory (server); and

A program encoded in the computer memory, the program, when executed, instructing the processor to receive digital images via the interface, determine a price for storing the digital images at a remote site, process payment information, and send paid-for digital images to the remote site (how the web site operates as set forth in the method, it could not operate without a computer program encoded into the computer memory). Thus, the article for manufacture is rejected for the reasons set forth in the method claims and the explanation set forth above.

Shiota does not teach printing the sales receipt including a thumbnail of the digital image to confirm storage but Altman teaches a printer 86 that can transmit receipts of electronic documents as thumbnail views or bow-up views to confirm storage as claimed (page 6, [0088], lines 1-6, figs 2 and 3).

It would have been obvious to one of ordinary skill in the art to utilize the printing of a sales receipt including a thumbnail view to confirm storage of the digital image or documents as taught by Altman into the teachings of Shiota because it would maximize the efficiency of storing and indexing electronic documents.

5. Claims 1-3, 7-11, 13-16, 18, 19-21, and 24-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bidun (WO 200163518 A2) in view of Altman (US 2001/0036324).

Bidun teaches a method of receiving a least one digital image from memory of an imaging device (entire patent, see specifically, Fig. 16., Abstract, pp. 20-21, lines 5-5 and pp. 24-25, lines 9-21 including a digital camera where the image data is received by reading by reading memory that has been removed from the camera), performing a point-of sale transaction for storing a least one digital image at a remote site (entire patent, see specifically, Fig. 16., Abstract, pp. 20-21, lines 5-5 and pp. 24-25, lines 9-21 the uploading is done to a remote site including a server or a web site). Uploading can be done via the Internet and the remote storage site would include an image storage web site (Fig. 16', Abstract, pp. 20-21, lines 5-5 and pp. 24-25, lines 9-21). The transaction is carried out at a kiosk/minikiosk (entire patent, see specifically, Fig.2; Fig. 16., Abstract, pp. 7-8, lines 15-13, pp. 20-21, lines 5-5 and pp. 24-25, lines 9-21 - the minikiosk is the same as the mobile kiosk). Bidun teaches allowing the digital image to be accessed and conducting a point-of-sale transaction for storing the digital image at a remote site (entire patent, see specifically, Fig. 16; Abstract, pp. 20-21, lines 5-5 and pp. 24-25, lines 9-21 the uploading is

done to a remote site including a server or a web for a fee and teaches that the web content can be browsed, as the images can be uploaded to a web site or transferred into different media such as mugs and tee-shirts the images could be accessed after capture at a remote site, even if the remote site is only the kiosk). Bidun teaches that the digital images are accessed by removing the memory from the imaging device and inserting the memory into a reader for the same reasons set forth above (entire patent, see specifically, Fig. 16., Abstract, pp. 20-21, lines 5-5 and pp. 24-25, lines 9-21 including a digital camera where the image data is received by

reading by reading memory that has been removed from the camera). Bidun does not teach printing the sales receipt including a thumbnail of the digital image to confirm storage but Altman teaches a printer 86 that can transmit receipts of electronic documents as thumbnail views or bow-up views to confirm storage as claimed (page 6, [0088], lines 1-6, figs 2 and 3).

It would have been obvious to one of ordinary skill in the art to utilize the printing of a sales receipt including a thumbnail vie to confirm storage of the digital image or documents as taught by Altman into the teachings of Bidun because it would maximize the efficiency of storing and indexing electronic documents.

As per claims 15 and 16, the following means are equivalent to the descriptions set forth in the reference.

Means for receiving digital images from imaging device memory (equivalent to first part of claim 1,* including a digital camera where the image data is received by reading by reading memory that has been removed from the camera)

Means for performing point-of-sale transactions for storing at leas some of the images at a remote site (equivalent to second part of claim 1., the uploading is done to a remote site the server/web site as it is not stored in your camera or PC it is remote).

Means for electronically transmitting paid-for images to the remote web site (equivalent to claim 3', (the uploading is done to a remote site the server/web site; transfer includes wireless, radio, cable, modem, transceiver, telephone line - all electronic forms).

Bidun teaches an article for a machine having a processor (CPU for the server) and an interface (the software on the website that enables a program to work with the user/input device (the user interface, which can be, a command-line interface, menu-driven, or a graphical user

interface), with another program such as the operating system or the computer's hardware), the article comprising:

Computer memory (server; and

A program encoded in the computer memory, the program, when executed, instructing the processor to receive digital images via the interface, determine a price for storing the digital images at a remote site, process payment information, and send paid-for digital images to the remote site (how the web site operates as set forth in the method, it could not operate without a computer program encoded into the computer memory). Thus, the article for manufacture is rejected for the reasons set forth in the method claims and the explanation set forth above.

Bidun does not teach printing the sales receipt including a thumbnail of the digital image to confirm storage but Altman teaches a printer 86 that can transmit receipts of electronic documents as thumbnail views or bow-up views to confirm storage as claimed (page 6, [0088], lines 1-6, figs 2 and 3).

It would have been obvious to one of ordinary skill in the art to utilize the printing of a sales receipt including a thumbnail view to confirm storage of the digital image or documents as taught by Altman into the teachings of Bidun because it would maximize the efficiency of storing and indexing electronic documents.

As a kiosk system, it is by nature going to have a set of options within a vending system that would utilize a plurality of choices for a consumer.

Assuming *arguendo*, that the kiosk system of Bidun sets forth small genus which places a claimed species in the possession of the public as in *In re Schaumnnn*, 572 F.2d 312, 197 USPQ 5 (CCPA 1978), the species would have been obvious because the genus

was sufficiently small to justify a rejection under 35 U.S.C. 102. Moreover, the following claims are specifically set forth under 35 USC 103(a).

As per claims 7, 14, and 24-28, Bidun teaches that at least one digital image is received by reading memory that has been removed from the imaging device (pg. 24, lines 9-14 and pg. 25, lines 1-8). There are two well-known mechanisms by which a digital image can be stored in a digital cameral, internal memory and removable memory. Internal memory is limited in the amount of data, which can be stored without deleting any images. Removable memory is still limited in the amount of images, which can be stored. However, the memory can be removed and additional memory can be purchased. Even with this benefit, the cost of this memory is much more expensive than the cost of average film or downloading of the images. Additionally, Bidun teaches that convention digital capture devices typically include a limited internal memory unit for storage of digital photos or videos and that the compact nature of the device also generally limits the space allocated for internal memory so that once the stored data fills allocated space the digital information must be uploaded and erased or the entire memory unit must be replaced in order to store additional data. Pg. 1, lines 7-11. Moreover, Bidun teaches that removing a filled memory unit from the device for later processing is inconvenient and can result in the loss of the memory unit and stored. data. Pg. 2, lines 1-4. He further teaches that obtaining additional memory units to replace filled memory units requires the user to purchase and transport multiple memory units, which may be cumbersome and expensive. Id. Thus, it would have been obvious to one of ordinary skill in the art at the

time of the invention to have included the well-known step of receiving and accessing at least one digital image by reading memory that had been removed from the digital imaging device as already taught in Bidun for the purpose of being able to have the ability to access all types of digital cameras and thus be able to service all customers at

the kiosk thereby maximizing revenues and profits. Bidun does not teach printing the sales receipt including a thumbnail of the digital image to confirm storage but Altman teaches a printer 86 that can transmit receipts of electronic documents as thumbnail views or bow-up views to confirm storage as claimed (page 6, [0088], lines 1-6, figs 2 and 3).

It would have been obvious to one of ordinary skill in the art to utilize the printing of a sales receipt including a thumbnail view to confirm storage of the digital image or documents as taught by Altman into the teachings of Bidun because it would maximize the efficiency of storing and indexing electronic documents.

Claims 19-21 are rejected for the same reasons set forth in the method claim above.

As per claims 8 and 9, Bidun teaches that the remote site is a server/image storage web site (pg. 11, lines 3-5, pg. 20, lines 21-23). Bidun teaches that storing digital images takes up space and that the uploading of the stored information directly to a personal computer required the availability of such a computer when using the capture device can be cumbersome or inconvenient. Additionally, Bidun teaches that conventional digital capture devices typically include a limited internal memory unit for storage of digital photos or videos and that the compact nature of the device also generally limits the space allocated for internal memory so that once the stored data fills allocated space the digital

information must be uploaded and erased or the entire memory unit must be replaced in order to store additional data. Pg. 1, lines 7-11. Moreover, Bidun teaches that removing a filled memory unit from the device for later processing is inconvenient and can result in the loss of the memory unit and stored data. Pg. 2, lines 1-4. He further teaches that obtaining additional memory units to replace filled memory units requires the user to purchase and transport multiple memory units, which may be cumbersome and expensive. Id. Thus, Bidun teaches that several of the objects of his invention are fulfilled by a multi-functional kiosk apparatus that permit gathering and/or transmitting data to a desired remote location. Pg. 2-3, lines 14-5.

Image storage web sites are connected to a remote server were well-known in the art for just these purposes, i.e. Photonet.com, Shutteriy.com, Fujifilm.net, clubphoto.com, photoaccess.com and Applicant's own site cartoga.com, among many others.

It would have been obvious to one having ordinary skill in the art at the time of the invention to have utilized a remote site of an image storage web site, which would have incorporated a server as already taught in Bidun because the skilled artisan would have recognized that this business practice accrues the advantages explicitly taught by Bidun.

As per claims 30-32, the combined system of Bidun and Altman does not expressly teach a method wherein uploading the at least one digital image to the remote site further comprises mailing the recordable medium to the remote site, wherein the recordable medium is a CD-ROM and wherein the recordable medium is a tape but it is obvious that having a CD ROM and a tape as a recording medium is well known in the art and one would be able to mail it to a remote site after storing it in a CD ROM or a tape as claimed.

6. Claims 4, 5, 17, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shiota et al. or Bidun in view of www.telepix.com and further in view of Michael Meyer, Dialing for Dmarks: Atlantic Edition) Newsweek, January 12, 1998, pg. 8 and Chet Dembeck, A Teclmological Tale, Mom and Pops Splurge on :90s Gadgetry and Hope for a Storybook Ending, Washington Business Journal, August 17, 1998.

Shiota, et al. or Bidun teach as set forth above. However, Shiota nor Bidun teach printing a sales receipt for the transaction identifying information about the digital images that were paid for. www.telexoix.com teaches receiving at least one digital image from memory of an imaging device, storing at least one digital image at a remote site (image storage web site) and allowing it to be accessed, uploading digital images to the remote site via the internet from a wide variety of digital camera memory cards, printing a sales receipt for transactions that occur at the kiosk (Photostation 2000 - automatic job order logging and receipt printing). www.telepix.com further teaches that the kiosk is a mini-kiosk (has a memory card reader - external compact flash, smart media, PCMCIA card reader), a processor responsive to the card reader and programmed to perform a point-of sale transaction and sends digital images to a remote storage site (400 MHz AMD K.6 processor - automatic job order logging and receipt printing; internet connectivity to Telepix Photo Network - display, share, download, email and print), a data communication device responsive to the processor for sending the digital images to the remote site (Integrated 10/100 Ethernet network port, Dual Universal Serial Bus, Supports dial-up, ISDN, ADSL or cable modem connectivity), at least one device, coupled to the processor, for entering payment information (wireless infrared keyboard for enhanced security in setup and administration, easy to use touch screen user interface), a receipt printer coupled to the processor, whereby the

processor can command the printer to print out receipts of the transactions (receipt printing). However, www.telepix.com does not teach that a point-of-sale transaction is performed for storing at least one digital image at a remote site. Meyer teaches that Americans take itemized bills for granted. Dembeck teaches that customers did not like the fact that receipts were not itemized and that merchants found it a small price to pay to keep customers happy. Itemization provides consumers with information, for example, of proof of purchase, for tax purposes, for disputes over charges/payment, and informs the customer exactly what goods/services were purchased. It would have been obvious to one having ordinary skill in the art at the time of the invention to have included the step of providing a printed sales receipt through a printer in the mini-kiosk as taught in www.telepix.com in the method of Shiota or Bidun as this business practice provides the customer with necessary information, saves time spent by a customer in making purchases, enhances customer satisfaction and entices customers to stay with the business. Moreover, it would have been obvious to one having ordinary skill in the art at the time of the invention to have added identifying information about the digital images that were paid for to the receipt for the reasons set forth above.

7. Claims 6 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shiota et al. or Bidun in view of www.telepix.com and in view of Michael Meyer, Dialing for Dmarks' (Atlantic Edition) Newsweek, January 12, 1998, pg. 8 and Chet Dembeck, A Technological Tale, Mom and Pops Splurge on 1990s Gadgetry and Hope for a Storybook Ending, Washington Business Journal, August 17, 1998 as applied to claims 1 and 4-5 and 19 and 22 above, and further in view of Bill Baird, The E-Marketer's Swipe File: Cutting-Edge Intelligence for the

New Economy, Target Marketing, Vol. 23, No. 12, December 2000, pg. 20/ Jill Welch, Craving the latest and the Greatest? Try the Advanced Photo System, Vol. 18, Issue 45, November 4, 1996, pg. 91/perfect Prints, Time, November 3, 1997, pg. 75/ Iomega and Lexmark Deliver Industry's First Pc-Free Digital Photo Processing Solution, Business Wire October 6, 1998, pg.

As previously set forth above from the combined teachings, it is obvious to provide a sales receipt with identifying information for which the digital images were paid. Baird teaches that an e-marketer's order form had added thumbnail product photos to its order form to reduce the rate of abandoned sales. Welch/Time teaches that thumbnails have been included with processed film in order to increase the safety of the negatives and to make it easier to order reprints. This would translate into digitally saved pictures on the web as you would have the thumbnails in front of you on the receipt, already identified and would not have to go to the site each time. Business Wire teaches the use of thumbnails in the digital media with the use of photo albums to organize photos in a print catalog for easy retrieval/ printing purposes later on. While this is in the form of a Zip disk, the principal would still apply for a sales receipt for a web site, as it is still a form of remote storage. Additionally, the thumbnails are the best form of itemization that can be provided for images to a consumer/customer as names would not convey the same type of information as the thumbnail. For example, a title, has the potential to refer to multiple pictures, whereas the thumbnail, will instantaneously provide the consumer/customer with the correct picture/image for which fees are being paid. Thus, would have been obvious to one having ordinary skill in the art at the time of the invention to have included the step of providing a printed sales receipt through a printer in the mini-kiosk utilizing thumbnails for the reasons taught in Baird/Welch/Time/Business Wire in www.telepix.com in the method of Shiota

or Bidun as this business practice provides the customer with necessary information, saves time spent by a customer in making purchases, enhances customer satisfaction and entices customers to stay with the business. Moreover, it would have been obvious to one having ordinary skill in the art at the time of the invention to have added identifying information about the digital images that were paid for to the receipt for the additional reasons set forth above.

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shiota, et al. or Bidun as applied to claims 1 and 11 above, and further in view of Eastman Kodak: Kodak to acquire 51% state in Picture Vision, M2 Presswire, February 13, 1998, pg. 1.

Shiota and Bidun teach as set forth above. However, neither Shiota nor Bidun teach that the owner of the kiosk has a fee agreement with the owner of the storage site. M2 Presswire teaches that PictureVision built the leading franchise at retail, i.e. digital image storing. Franchising is a form of a fee agreement with an owner of a remote storage site. M2 Presswire further teaches that this form of transaction based processing gives customers more benefits by allowing them to share their photos quickly and easily through the combined service, i.e. retail kiosks and the owned remote storage. Moreover, it is well known in the business art that if one does not own space one pays for it, i.e. rents it, leases it, or buys it. The same is true of a service that one provides to a customer. It would have been obvious to one having ordinary skill in the art at the time of the invention to have included the step of having the owner of the kiosk have a fee agreement with the owner of the remote storage site in Shiota or Bidun as taught in M2 Presswire because the skilled artisan would have recognized that this business practice is a mechanism by which the remote storage site stays profitable and stays in business, would follow in the internet world from the business community where competition is sometimes world wide

and customers have a greater influence on the success of a business and provides a valuable service to the kiosk owner by avoiding the need for him incur the costs of setting up his own web site for his customers, when he can pay a low fee for a site that is already set up and can be off-set in other negotiated ways through the franchised licensing agreement.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald Laneau whose telephone number is (703) 305-3973. The examiner can normally be reached on Mon-Fri from 8:30am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on (703) 308-5183. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ronald Laneau

Ronald Laneau
Examiner
Art Unit 3627

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Michael Cuff 7/12/04
MICHAEL CUFF
PRIMARY EXAMINER